THE HONOURABLE SRI JUSTICE D. APPA RAO

WRIT PETITION NO.10973 OF 2006

Dated: 31.05.2006

Between:

G. Johnson Deva Raju and another … Petitioners

AND

The Chair Person,

A.P.T.W.R.E.I. Society, Gurukulam,

T.S.Bhavan, Masab Tank, Hyderabad

and another

… Respondents

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ORDER:

The petitioners seek a writ of mandamus to declare the action of the respondents in not promoting the 1st petitioner as Junior Lecturer in English and the 2nd petitioner as Junior Lecturer in Physics by taking their methodology of teaching in B.Ed course and their P.G. qualification into consideration and not allowing them to appear for the counselling scheduled to be held in 1st week of June, 2006 or on any of the subsequent date as illegal and arbitrary and consequently, to promote petitioners 1 and 2 as Junior Lecturers in English and Physics respectively.

It is the case of the petitioners that they are Post Graduate Teachers in A.P.T.W.R.E. Society. The said Society was bifurcated and a new society viz, A.P. Tribal Welfare Residential Education Society was formed. The respondents called options from teaching and non-teaching staff either for retention in the existing APREI Society or for absorption in the newly formed society. After formation of new Society, the 1st respondent has prepared a common seniority list in the cadre of TGTs by fixing their respective placements. In fact, the petitioners are eligible to be promoted as Post Graduate Teachers in their respective course, as they have secured Post Graduate Degree besides subjects concerned in B.Ed. Course. It is their grievance that while giving promotions, their names were not included in the list and therefore, the respondents are not allowing them to participate in the counselling to be held in 1st or 2nd week of June, 2006. Hence, the writ petition.

The learned Standing Counsel appearing for the respondents had raised various contentions *inter alia* stating that the petitioners are not entitled to be promoted.

The learned counsel for the petitioners relied upon the Judgments in W.P.Nos.6871 of 1997, 18718 of 1995 and 20477 of 2004, wherein this Court observed that the petitioners therein, who have been assigned seniority, shall be considered for

promotion as Post Graduate Teachers.

In view of the above decisions and in view of the fact that the names of the petitioners find place in the common seniority list in the cadre of TGTs, I am of the view that the case of the petitioners shall also have to be considered in the counselling that is going to be held in 1st or 2nd week of June, 2006.

Therefore, the respondents are directed to permit the petitioners for counselling scheduled to be held in 1st or 2nd week of June, 2006 and the respondents are at liberty to announce the results of the candidates as per merit.

The Writ Petition is disposed of with the above directions. No order as to costs.

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D. Appa Rao, J

Dated: 31st May,2006

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